

Islands of the United States, must, under the supervision of an inspector, be segregated and protected from infestation by any plant pest or disease.

(d) *Attachment of certificates.* Except as otherwise provided for certain air cargo and containerized cargo on ships moved in accordance with §318.58-10, each box, bale, crate, or other container of regulated articles moved under a certificate shall have the certificate attached to the outside of the container: *Provided*, that if a certificate is issued for a shipment of more than one container or for bulk products, the certificate shall be attached to or stamped on the accompanying waybill, manifest, or bill of lading.

[54 FR 3580, Jan. 25, 1989, as amended at 58 FR 7962, Feb. 11, 1993]

§318.58-4 Issuance of certificates or limited permits.

Under the following conditions, an inspector may issue a certificate or limited permit for the movement of regulated articles to be moved in accordance with this subpart:

(a) *Certification on basis of inspection or nature of lot involved.* An inspector may issue a certificate for fruits and vegetables designated in §318.58-2(b)(1) after the inspector has inspected them and found that they appear free from infestation and infection, or has determined without an inspection that the lot for shipment is of such a nature that there appears to be no danger of infestation or infection.

(b) *Certification on basis of treatment.* Fruits and vegetables designated in §318.58-2(b) may be certified after undergoing an approved treatment contained in part 305 of this chapter under the supervision of an inspector and if the articles are handled after treatment in accordance with all conditions that the inspector requires. Treatments shall be applied at the expense of the shipper, owner, or person in charge of the articles. The Department of Agriculture or its inspector will not be responsible for loss or damage resulting from any treatment prescribed or supervised under this subpart.

(c) An inspector may issue a limited permit for the movement of fruits and vegetables otherwise prohibited movement under this subpart, if the articles

are to be moved in accordance with §318.58-12 of this subpart.

[54 FR 3581, Jan. 25, 1989, as amended at 58 FR 7962, Feb. 11, 1993; 67 FR 8465, Feb. 25, 2002; 70 FR 33324, June 7, 2005]

§318.58-4a Administrative instructions authorizing the movement from Puerto Rico of frozen fruits and vegetables.

(a) The Administrator of the Animal and Plant Health Inspection Service, pursuant to the authority contained in §§318.58-2 and 318.58-3, approves the process of quick freezing in accordance with part 305 of this chapter as a treatment for all fruits and vegetables described in §318.58-2, except as otherwise provided in paragraph (c) of this section. Such frozen fruits and vegetables may be certified for movement from Puerto Rico into or through any other Territory, State, or District of the United States in accordance with §318.58-3.²

(b) The inspector in Puerto Rico shall determine that such fruits and vegetables are in a satisfactory frozen state before issuing a certificate. The inspector on the mainland will release the shipment on the basis of the certificate issued in Puerto Rico.

(c) The movement from Puerto Rico of frozen fruits and vegetables is not authorized when such fruits and vegetables are subject to attack, in the area of origin, by plant pests that may not, in the judgment of the Administrator, be destroyed by freezing.

[24 FR 10777, Dec. 29, 1959. Redesignated at 54 FR 3581, Jan. 25, 1989; 68 FR 2684, Jan. 21, 2003; 70 FR 33324, June 7, 2005; 70 FR 40879, July 15, 2005]

§318.58-5 Application for inspection.

Persons intending to move any of the products for which certification is required under §318.58-3 shall make application for inspection thereof as far as possible in advance of the probable date of shipment. The application shall show the quantity of the products

²Further information concerning the movement of frozen fruits and vegetables from Puerto Rico may be obtained from the Plant Protection and Quarantine Programs, Room 4, Post Office Bldg., P.O. Box 3386, San Juan, PR 00901.